

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

DEC 14 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

CALIFORNIA TRIBAL FAMILIES
COALITION; et al.,

Plaintiffs-Appellants,

and

ARK OF FREEDOM ALLIANCE; TRUE
COLORS, INC.,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity
as Secretary of Health and Human Services;
et al.,

Defendants-Appellees.

No. 23-15010

D.C. No. 3:20-cv-06018-MMC
Northern District of California,
San Francisco

ORDER

The parties' joint motion (Docket Entry No. 16) to stay appellate
proceedings is granted. The previously established briefing schedule is vacated.

Appellate proceedings are stayed until resolution of the Department of
Health and Human Services' rulemaking process, or until further order of the
court.

The parties shall file a status report on January 17, 2024, and every 90 days
thereafter while the rulemaking process remains pending. Status reports should

include any change in the status of the rulemaking process and the estimated date of resolution, if known.

The parties shall notify the court by filing a status report within 7 days of resolution of the rulemaking process.

Failure to file a status report will terminate the stay of appellate proceedings.

The briefing schedule will be reset in a future order.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT